

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Includes Reference to PCT International Applications)

Attorney's Docket No.  
**5123-30RCE**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AUTOMATIC FAILURE DETECTION AND RECOVERY OF APPLICATIONS**

The specification of which (check only one item below)

☐ is attached hereto

☒ was filed as United States application

Serial No. 10/090,041

on March 1, 2002

and was amended

on \_ (if applicable).

☐ was filed as PCT international application

Number

on

and was amended under PCT Article 19

on \_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above. I hereby state that I was inadvertently omitted as an inventor on this application and that such error occurred without any deceptive intent on my part.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

**PRIOR FOREIGN/PCT APPLICATIONS AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

Country (if PCT, indicate "PCT")	Application Number	Date of Filing (day, month, year)	Priority Claimed Under 35 U.S.C. 119	
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO

<b>COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY</b> (Includes Reference to PCT International Applications)		Attorney's Docket No. <b>5123-30RCE</b>
<b>POWER OF ATTORNEY:</b> As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) at <i>Cohen, Pontani, Lieberman &amp; Pavane</i> to prosecute this application and transact all business in the Patent and Trademark Office connected therewith <b>Customer number 27799</b>		
Send correspondence to <i>Cohen, Pontani, Lieberman &amp; Pavane LLP</i> at the address of the following customer Number: <b>27799</b>		Direct Telephone calls to: (name and telephone number) Edward M. Weisz (212) 687-2770
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
<b>201</b>	<b>Primary Citizenship Country::</b>	U.S.A.
	<b>Given Name::</b>	Navjot
	<b>Middle Name::</b>	
	<b>Family Name::</b>	SINGH
	<b>City of Residence::</b>	DENVER
	<b>State or Province of Residence::</b>	New Jersey
	<b>Country of Residence::</b>	U.S.A.
	<b>Street of mailing address::</b>	33 Mount Pleasant Turnpike
	<b>City of mailing address::</b>	Denver
	<b>State or Province of mailing address::</b>	New Jersey
	<b>Country of mailing address::</b>	U.S.A.
	<b>Postal or Zip Code of mailing address::</b>	07834

<b>COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY</b> (Includes Reference to PCT International Applications)		Attorney's Docket No. <b>5123-30RCE</b>
SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE <i>06/21/06</i>	DATE	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE
Additional inventor(s) name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

## ASSIGNMENT

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, I the undersigned, Navjot SINGH (hereinafter referred to as "ASSIGNOR"):

Hereby sell, assign and transfer to Avaya Inc. (hereinafter referred to as "ASSIGNEE"), a corporation of Delaware, having a place of business at 211 Mount Airy Road, Basking Ridge, New Jersey 07920; respectively, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been filed on March 1, 2002 and been accorded Application Serial No. 10/090,041, and is entitled

### AUTOMATIC FAILURE DETECTION AND RECOVERY OF APPLICATIONS

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives; to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements;

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Navjot SINGH

State of \_\_\_\_\_ )  
 )ss.  
County of \_\_\_\_\_ )

Kathleen K. Adams 9/21/2006  
Notary Public

**KATHLEEN K. ADAMS**  
Notary Public of New Jersey  
County of Union  
My Commission Expires March 8, 2009



Attorney Docket # 5123-30RCE

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Reinhard P. KLEMM et al.

Serial No.: 10/090,041

Filed: March 1, 2002

For: Automatic Failure Detection and Recovery of  
Applications

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner: Manoskey, Joseph D.  
Group Art: 2113

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 26, 2006

(Date of Deposit)

Edward M. Weisz

Name of Applicant, Assignee or Registered Representative

Signature

June 26, 2006

Date of Signature

**CERTIFICATE UNDER 37 CFR 3.73(b)**

**Avaya Inc.** (Name of Assignee), a (corporation), certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

An assignment from the inventor(s) of the patent application identified above. The assignment from Reinhard KLEMM was recorded in the Patent and Trademark Office at Reel 012693, Frame 0490;

The assignment from Navjot SINGH was submitted to the U.S. Patent and Trademark Office for recordation on June 26, 2006. A copy is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The assignee hereby consents to the addition of Mr. Navjot Singh as a co-inventor.

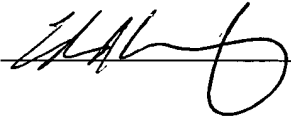
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: June 30, 2006

Name: Edward M. Weisz

Title: Attorney of Record (37,257)

Signature: 

## ASSIGNMENT

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, I the undersigned, Navjot SINGH (hereinafter referred to as "ASSIGNOR"):

Hereby sell, assign and transfer to Avaya Inc. (hereinafter referred to as "ASSIGNEE"), a corporation of Delaware, having a place of business at 211 Mount Airy Road, Basking Ridge, New Jersey 07920; respectively, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been filed on March 1, 2002 and been accorded Application Serial No. 10/090,041, and is entitled

### AUTOMATIC FAILURE DETECTION AND RECOVERY OF APPLICATIONS

and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;

Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives; to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said improvements;

